

**MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
AUGUST 19, 2009**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, August 19, 2009, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor William J. Schmitt called the meeting to order at 7:00 p.m.

Roll Call.

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prectel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All council members were in attendance; therefore, there was a quorum for the meeting.

Approval of the Minutes:

The following minutes were distributed to and examined by the Council:

1. July 22, 2009 regular Common Council meeting
2. July 20, 2009 special meeting – Energy Systems Group presentation
3. June 30, 2009 special meeting – budget hearings

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member David Prectel to approve the minutes as published. Motion carried 7-0.

Rezoning proposal/Ordinance No. 2009-25. Mayor Schmitt sought consideration of the proposal from Phyllis L. Cox to rezone property at 1925 N. Newton Street from B-1 (Business) to B-3 (Business).

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Thomas Schmidt to accept the proposal to rezone the property and adopt the rezoning ordinance for such property, Ordinance No. 2009-25. Motion carried 7-0.

Utility Service Board. General Manger of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on

August 17, 2009. Copies of the minutes are supplied to each council member. Hayersperger said Energy Systems Group wants to move forward with the process that would allow improvements at the power plant to convert from coal to biomass. Mayor Schmitt stated he has received some calls from the public about the power plant. They want to know if the biomass option is the way to go. He assured them the Utility Service Board is taking it step by step and is not jumping into biomass. There are regulations that need to be followed and the Board wants to make sure they are doing the right thing for the City.

4th Street Sidewalk and Storm Sewer Project Contract. City Attorney Sandra Hemmerlein said the Council needs to approve two contracts for the 4th Street Sidewalk and Storm Sewer Improvement project. The Board of Public Works and Safety usually deals with such matters but since this is OCRA money, the City must follow the OCRA rules and the Council must address these issues.

Mayor Schmitt said the contracts could not be approved until we reached a certain part of the project where we ask OCRA to release the funds. We are now at that phase. The notice to bidders seeking bids for the project has been published. The Board of Public Works and Safety will open the bids and make a recommendation to the Council who in turn will award the bid.

The following contracts were presented, a contract with CrossRoad Engineers for professional engineering services for \$34,500.00 and a contract with Indiana 15 Regional Planning Commission for grant administration for \$30,000.00.

A **motion** was made by Council member John Schroeder and seconded by Council member Kevin Manley to accept and approve the contracts with CrossRoad Engineers and with Indiana 15 Regional Planning Commission. Motion carried 7-0.

ORDINANCE NO. 2009-22 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE YEAR ENDING DECEMBER 31, 2009.

A motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Randy Buchta and approved 7-0 to have the ordinance read by title only on the first reading. The ordinance was so read. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Ambrose 'Butch' Schitter to approve the ordinance on first reading. Motion carried 7-0.

Under discussion, Financial Coordinator Sharon Sander said the appropriation amounts listed in the ordinance are from the reports presented and discussed at the June 30, 2009 budget hearings plus a few other listings. A notice to taxpayers will need to be published and the ordinance will be available for second and final readings at the September meeting.

ORDINANCE NO. 2009-23 AN ORDINANCE APPROPRIATING MONEY FOR THE CITY OF JASER, INDIANA, FOR THE YEAR 2010

This ordinance appropriates funds for the 2010 budget.

A motion was made by Council member Randy Buchta, seconded by Council member David Prechtel and approved 7-0 to read the ordinance by title only on the first reading. The ordinance was so read. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Kevin Manley to approve the ordinance on first reading. Motion carried 7-0.

Under discussion, Financial Coordinator Sharon Sander said the amounts from the budget reports presented and discussed at the June 30, 2009 budget hearings were incorporated into this ordinance. The pre-adoption public hearing was held earlier this evening. Final adoption will be considered on September 23, 2009.

ORDINANCE NO. 2009-24 AN ORDINANCE LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE CITY OF JASPER, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010

This ordinance sets the 2009 pay 2010 tax rate for the 2010 advertised budget.

A motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Randy Buchta and approved 7-0 to read the ordinance by title only on first reading. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member John Schroeder to approve the ordinance on the first reading. Motion carried 7-0.

Under discussion, Financial Coordinator Sharon Sander said this ordinance lists a property tax rate of .8819 which means this is the maximum tax levy the City can advertise for 2010.

Comprehension Plan. Council member Kevin Manley asked what is going on with the comprehension plan. Council member David Prechtel said the committee had its first meeting with the consultant, Ratio. The next meeting will be in October. Prechtel added that he will give a comprehensive plan update next month.

JCAC. Jasper Community Arts Commission member Kendall Martin attended the meeting on behalf of the Board. Martin thanked the council for its co-operation and support of the Arts. He said the season tickets have gone on sale. He then reviewed the shows that are scheduled for the Performers Series and said he is happy about the quality of shows that are scheduled for this coming season. Martin further stated they have not heard back from the Indiana Arts Commission regarding the grant amount but are hoping for positive results.

ADJOURNMENT. There being no further business to come before the Board, a **motion** was made Council member Thomas Schmidt and seconded by Council member Randy Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 7:38 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 23rd day of September, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary